



Fact Sheet:



Drug Court Programs

WHAT IS A DRUG COURT?¹

The mission of the drug courts is to stop the abuse of alcohol and other drugs and its related criminal activity. Focusing on offenders whose criminal justice involvement stems from alcohol and other drug use, drug courts offer the offenders a choice. In exchange for successful completion of the treatment program, the court may dismiss the original charge, reduce or set aside a sentence, offer some lesser penalty, or offer a combination of these.

Consequently, drug courts are becoming an increasingly acceptable method of dealing with alcohol and/or other drug (AOD) abusing offenders. Prior to drug courts, AOD offenders oftentimes received minimal supervision and little or no treatment. These same offenders are now eligible to participate in drug courts programs. Once the offender is assessed by the drug court staff, depending on the needs, the offender is placed into one of the program phases, which may include frequent drug testing, residential AOD treatment, counseling, job skills training, judicial monitoring and other court mandated sanctions.

COMMON TYPES OF DRUG COURTS

- Adult
- Juvenile
- Dependency

Modalities that exist within the drug courts:

- ❑ **Pre-plea** models afford first-time drug possession offenders a stay of prosecution if they participate in court-supervised treatment. Upon successful completion of the drug court program the participant is discharged without a criminal record.

However, failure to complete the program leads to the filing of charges and adjudication.

- ❑ **Post-plea** models require defendants to enter a guilty plea before entering treatment. Upon successful completion of the drug court program the criminal charges are dismissed. However, failure to complete the program leads to the sentencing phase of the program.
- ❑ **Post-adjudication** models allow repeat drug offenders to enter treatment after their conviction but prior to serving their sentence. Successful completion of the drug court program allows these offenders to serve their sentence in treatment instead of custody. Failure to complete the program leads directly to the activation of their sentence.

TARGET POPULATION

Generally, defendants targeted for drug courts have been charged with less-serious drug and drug-related offenses. They frequently have experienced more than a decade of alcohol and/or other drug abuse. About one-fourth have been in a substance abuse treatment program(s) during the previous three years. Approximately three-fifths have never been involved in substance abuse treatment.

Though many drug courts initially focused on first-time drug offenders, increasingly, drug courts are targeting offenders with serious offenses, repeat offenses, or probation violations.

Drug courts primarily focus their limited resources on individuals with serious substance abuse problems, rather than on those with less severe problems who might be served by other programs.

¹ Defining Drug Courts: The Key Components, US Dept. of Justice, Office of Justice Programs, Drug Courts Program Office

CALIFORNIA'S DRUG COURT PROGRAMS

Drug Court-Related Substance Abuse Treatment Program

The Budget Act of 1997-98 established the Drug Court-Related Substance Abuse Treatment Program. Under this program, the Department awarded 28 counties on a competitive basis \$3 million during Fiscal Year (FY) 1997-98, to develop and / or expand substance abuse treatment supporting drug courts. In March of 1998, the Department provided funding for two more fiscal years (1998-99 and 1999-2000) to all 28 Drug Court-Related Substance Abuse Treatment funded counties.

Drug Court Partnership Program

The Drug Court Partnership Act of 1998, Senate Bill 1587 (Alpert), Chapter 1007, Statutes of 1998, appropriated \$4 million of State General Funds in Fiscal Year (FY) 1998-99 and \$8 million in FY 1999-00. The Drug Court Partnership is administered by the Department for the purposes of demonstrating the cost-effectiveness of drug courts operating pursuant to Sections 1000 to 1000.4, inclusive, of the Penal Code, and for any defendant who has entered a plea of guilty and is on active probation. The act requires the Department, with concurrence of the Judicial Council, to establish standards for use of the funds, award the grants for four years, and create an evaluation design that will assess the effectiveness of the program. The Department on a competitive basis awarded \$4 million to 18 counties during Fiscal Year (FY) 1998-99 and in FY 1999-00 awarded \$4 million to an additional 16 counties. As of July 1, 1999, there are 34 counties operating 48-month (4 year) Drug Court Partnership programs. The Department and the Judicial Council have formed the Drug Court Partnership Program Executive Steering Committee to advise the Department and the Judicial Council on the development and implementation of the program. The Steering Committee meets quarterly (or more frequently on an as needed basis) to discuss policy matters and any others issues pertaining to the Drug Court Partnership Program.

CALIFORNIA DRUG COURTS PAST AND PRESENT

California's first drug court began in Alameda County, in 1991. By 1994, there were 8 drug courts in California. In 1995, California's first juvenile offender drug court began in Tulare County and the original 8 had grown to 24 drug courts. As of February 2000, the Administrative Office of the Court has recorded 81 adult drug courts and 19 juvenile drug courts and several drug courts in the planning stages. The 46 counties with operational drug courts include:

Alameda - Butte - Contra Costa - Del Norte
El Dorado - Fresno - Glenn - Humboldt
Imperial - Kern - Kings - Lake - Los Angeles
Mariposa - Madera - Marin - Mendocino
Merced - Monterey - Napa - Nevada - Orange
Placer - Plumas - Riverside - Sacramento
San Bernardino - San Diego - San Francisco
San Joaquin - San Luis Obispo - San Mateo
Santa Barbara - Santa Clara - Santa Cruz
Shasta - Solano - Sonoma - Stanislaus - Sutter
Trinity - Tulare - Tuolumne - Ventura - Yolo
Yuba

Cost Effectiveness of Drug Courts

If drug courts are to continue to expand, generate positive outcomes for offenders, and be accepted and supported by the communities they serve, a solid body of research must stand behind the effort. Recent studies have found that the longer participants remained in treatment the greater the reduction in criminal activity; and that for every dollar spent on treatment saves taxpayers \$7.

The Department in collaboration with the Judicial Council will provide an interim report to the Legislature by March 1, 2000 and a final analysis of the Drug Court Partnership program by March 1, 2002.

More Information

For more specific information regarding the Department's Drug Court Programs, contact the Office of Drug Court Programs at: (916) 323-8746, or visit the webpage at <http://www.adp.cahwnet.gov/drgcourt.asp>